

UTILITIES SERVICE BOARD MEETING

March 7, 2005

UTILITIES SERVICE BOARD MEETINGS ARE RECORDED ELECTRONICALLY OR STENOGRAPHICALLY AND ARE AVAILABLE DURING REGULAR BUSINESS HOURS IN THE OFFICE OF THE DIRECTOR OF UTILITIES.

Board Vice President Henke called the regular meeting of the Utilities Service Board to order at 5:00 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Tim Henke, Dick Eherenman, Jeff Ehman, John Whikehart, Sam Vaught, and ex-officio member Tim Mayer. Staff members present: Patrick Murphy, John Langley, Mike Bengtson, Tom Staley, Nathan Schulte, Jane Fleig, Steve Saulter, Mike Hicks, Penni Sims, and Vickie Renfrow. Also present: Ann Parker and Steve Emery representing Beazer Homes, Donnie Ginn representing Black & Veatch, Ben Beard representing Gentry Development, Bill Stuart representing Beam, Longest and Neff, Bob Cowell representing the Monroe County Plan Department, Margaret Fette, Scott Wells, George Hegeman, Jeff Kaden, Richard Martin, Lynette Marshall, Greg Knott, Cheim Julian, Mark Stoops, Pete Roman, and Cynthia Killian. (A sign-up sheet is attached to the minutes.)

Before the start of the business meeting, Vice President Henke welcomed John Whikehart as the newest member of the Utilities Service Board.

MINUTES OF PREVIOUS MEETING:

EHRENMAN MOVED AND EHMAN SECONDED THE MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 21, 2005, MEETING AS PRESENTED. MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

CLAIMS:

EHMAN MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE THE CLAIMS AS FOLLOWS:

CLAIMS 0590254 THROUGH 0590298 INCLUDING \$36,864.14 FROM THE WATER OPERATIONS & MAINTENANCE FUND FOR A TOTAL OF \$36,864.14 FROM THE WATER UTILITY; CLAIMS 0530151 THROUGH 0530186 INCLUDING \$37,799.16 FROM THE WASTEWATER OPERATIONS & MAINTENANCE FUND FOR A TOTAL OF \$37,799.16 FROM THE WASTEWATER UTILITY; AND CLAIMS 0570023 THROUGH 0570025 INCLUDING \$1,315.00 FROM THE WASTEWATER/STORMWATER FUND FOR A TOTAL OF \$1,315.00 FROM THE WASTEWATER/STORMWATER UTILITY. TOTAL CLAIMS APPROVED - \$75,978.30.

MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

AUTO-PAY & TRANSFERS FOR THE MONTH OF JANUARY 2005:

EHMAN MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE THE AUTO-PAY & TRANSFERS FOR THE MONTH OF JANUARY 2005 IN THE AMOUNT OF \$537,855.97. MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

Board member Eherenman requested an explanation of the MBNA charges made by Danny McConnell. Deputy Director Langley will obtain the information and forward it to Mr. Eherenman.

MBNA CHARGE ACCOUNT PAYMENT DATE ACCOUNT DUE – JANUARY 20, 20005:

EHRENMAN MOVED AND EHMEN SECONDED THE MOTION TO APPROVE THE MBNA CHARGE ACCOUNT PAYMENT IN THE AMOUNT OF \$11,089.41. MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

PETTY CASH FOR THE MONTH OF JANUARY 2005:

EHMAN MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE PETTY CASH PAYMENT FOR THE MONTH OF JANUARY 2005 IN THE AMOUNT OF \$972.21. MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

AGREEMENT FOR CONSULTING SERVICES – SR 45/46 ROUTE ASSESSMENT AND PROBABLE COST STUDY – BEAM, LONGEST AND NEFF:

Board Vice President Henke requested more information about how the selection of Beam, Longest, and Neff was made. This information will be forwarded to Mr. Henke.

EHERENMAN MOVED AND EHMEN SECONDED THE MOTION TO APPROVE THE AGREEMENT FOR CONSULTING SERVICES – SR 45/46 ROUTE ASSESSMENT AND PROBABLE COST STUDY – BEAM, LONGEST AND NEFF. MOTION CARRIED. 5 AYES. 1 MEMBER ABSENT (SWAFFORD).

Board President Swafford arrived at the meeting at this time.

SUPPLEMENTAL AGREEMENT NO. 2 – AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES – REPLACEMENT OF MONROE COUNTY BRIDGES NO. 902 AND 917 – BEAM, LONGEST AND NEFF:

EHERENMAN MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 – AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES – REPLACEMENT OF MONROE COUNTY BRIDGES NO. 902 AND 917 – BEAM, LONGEST AND ENFF. MOTION CARRIED. 6 AYES.

APPEALS OF DENIAL OF SEWER CONNECTIONS – GENTRY ESTATES AND BEAZER HOMES:

Ben Beard, representing Gentry Development, spoke in favor of extension of sewer service for his development and presented information to Board members. (A copy of the information presented by Mr.

Beard is attached to the minutes.) This request was originally made as the "446 properties" and included the Mikesell, Hipkind, McCrea, Webb, Shahbahrani, and Chitwood properties. Properties were dropped from the request, and sewer connection is now requested only for the Mikesell property.

Steve Emery, representing Beazer Homes, spoke in favor of extension of sewer service for the Stonechase development. Mr. Emery showed a PowerPoint presentation regarding this request. (A copy of the PowerPoint presentation is attached to the minutes.)

Members of the general public spoke about this request as follows:

In favor of the request were Bud Bernitt, Margaret Fette, Richard Martin, Dan Killion, Greg Knott, and Kevin Shiflet.

Some of the points raised by this group included the following: (1) does not exceed sewer capacity limits; (2) will help the economy of Bloomington and the surrounding area; (3) does not constitute sprawl; (4) does not empty into the Monroe watershed; (5) sewer service better for the area than a package plant; (6) Utilities Department should serve County residents as well as City residents; (7) Utilities Department services should not be a political matter.

Against the request were Mark Stoops, Scott Wells, Greg Travis, and Pete Roman.

Some of the points raised by this group included the following: (1) will create a problem with sewer capacity; (2) does nothing to help the economy; (3) constitutes sprawl; (4) will cause necessity to raise rates; (5) Utilities Department is a municipal entity and not responsible for service to all County residents; (6) responsibility of Utilities Department is to rate payers.

Board President Swafford advised members that the Engineering Subcommittee considered both appeals on March 4, 2005, and voted to recommend approval of the sewer connections.

After considerable discussion among members of the public, Utilities Department staff, and members of the Utilities Service Board, the following motions were presented:

GENTRY APPEAL:

SWAFFORD MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE GENTRY SEWER CONNECTION FOR THE MIKESELL PROPERTY WITH THE PROVISION THAT THE DEVELOPER NOT BE REQUIRED TO EXTEND THE SEWER LINE TO THE NEXT PROPERTY AT THE DISCRETION OF UTILITIES DEPARTMENT STAFF MEMBERS, THAT EASEMENTS FOR FUTURE LINES BE GRANTED TO THE UTILITIES DEPARTMENT, AND THAT FUTURE CONNECTIONS WOULD BE CONSIDERED ON A CASE-BY-CASE BASIS AND NOT AUTOMATICALLY APPROVED. MOTION CARRIED. 4 AYES. 2 ABSTENTIONS (EHMAN AND WHIKEHART).

BEAZER APPEAL:

SWAFFORD MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE BEAZER HOMES SEWER CONNECTION FOR STONECHASE WITH THE PROVISION THAT THE DEVELOPER NOT BE REQUIRED TO EXTEND THE SEWER LINE TO THE NEXT PROPERTY AT THE DISCRETION OF UTILITIES DEPARTMENT STAFF MEMBERS, THAT EASEMENTS FOR FUTURE LINES BE GRANTED TO THE UTILITIES DEPARTMENT, THAT THE DEVELOPER NOT TRY TO PREVENT THE HOOK-ON OF FUTURE DEVELOPMENTS, AND THAT THE AREA DIRECTLY TO THE NORTH OF THIS DEVELOPMENT BE APPROVED FOR SEWER CONNECTION IF IT IS PHYSICALLY POSSIBLE. MOTION CARRIED. 4 AYES. 2 ABSTENTIONS (EHMAN AND WHIKEHART).

OLD BUSINESS:

Tim Henke –

Board Vice President Henke inquired about the proposed service area map with sewer lines inserted. Utilities Director Murphy reported that the GIS Department staff would be doing that map as requested.

NEW BUSINESS:

Tim Henke –

Board Vice President Henke reported that a discussion meeting regarding sewer capacity issues has been scheduled for Thursday, March 10, 2005, at 5:00 p.m. in Room 1B at the Monroe County Library. This will be for the purpose of discussion of technical issues and will not be for discussion of connection issues. Members of the general public are urged to attend the meeting.

SUBCOMMITTEE REPORTS:

No further subcommittee reports were presented.

STAFF REPORTS:

Patrick Murphy –

Utilities Director Murphy reported that eight Utilities Department vehicles have been vandalized while parked at 501 North Morton.

Update to Lake Monroe Treatment Plant Improvements –

Assistant Director Bengtson and Donnie Ginn, representing Black & Veatch, reported that a change order for the Lake Monroe Treatment Plant Improvements will be presented for approval at the March 21, 2005, meeting. There will be three (3) items on the change order. Mr. Ginn presented photographs to Board members to illustrate what changes are necessary.

PETITIONS AND COMMUNICATIONS:

Patrick Murphy –

Utilities Director Murphy reported that it is necessary to schedule meetings of both the Engineering and Finance Subcommittees in the next ten (10) days. Board members will be contacted to schedule these meetings.

Margaret Fette –

Margaret Fette stated that she felt the decisions made by the Utilities Service Board at this meeting were impressive. She feels that the Board is a good group of people. Ms. Fette, however, is very disappointed in the map of service areas and feels that the Utilities Department could easily split the community apart by accepting the map.

Pete Roman –

Pete Roman stated that he is glad the decisions have been made regarding the sewer connection appeals and that he agrees with one of them. He is, however, disappointed by comments made by the Utilities Service Board members. He feels that the community has gone through a large waste of money and that common sense needs to be used in the planning for projects.

Scott Wells –

Scott Wells stated that he feels the approval of sewer connections could cause the rates to be raised; however, he feels that the connection fees do need to be increased to produce more revenue and to bring Bloomington rates more in line with other communities.

Steve Saulter –

Board members were presented with the budget overview for January 2005. (A copy of the overview is attached to the minutes.)

ADJOURNMENT:

The meeting was adjourned at 7:31 p.m.

L. Thomas Swafford, President